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— CASTELLÓN & FUNDERBURK LLP —
A LIMITED LIABILITY PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

May 4, 2012

Via Electronic Mail and Certified Mail, Return Receipt Requested

Ms. Michelle Kerr, Remedial Project Manager
U.S. Environmental Protection Agency
Superfund Division
77 W. Jackson Blvd., SR-6J
Chicago, Illinois 60604
Kerr.Michelle@epamail.epa.gov

**RE: Metal Briquetting Company's Response to USEPA Request for
Information Dated November 30, 2011 concerning the Chemetco
Superfund Site in Hartford, Illinois**

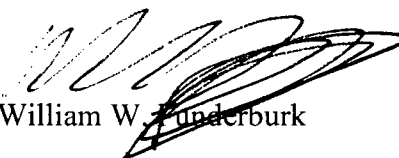
Dear Ms. Kerr,

Please find enclosed with this letter Metal Briquetting Company's ("MBC") response to the above-referenced request for information. Please also find enclosed with this response a certification signed by Tim F. Strelitz, CEO and President of Metal Briquetting Company.

MBC provides the attached response, reserving any and all privileges, rights, and immunities. Submission of the response should not be construed as an admission of liability under any applicable laws or regulations.

If you have any questions or wish to discuss this matter further, please direct all communications to the undersigned.

Very truly yours,



William W. Funderburk

Enclosure

cc: Mr. Thomas Martin, EPA Associate Regional Counsel (via email only at
Martin.thomas@epa.gov

RESPONSE TO INFORMATION REQUEST

Identity of Persons and Contributing Sources of Information

Tim F. Strelitz, C.E.O. and President of California Metal-X and Karen B. Strelitz, Executive Vice President, contributed information that is incorporated into responses to the following requests: 1 – 20, 24-26.

Butch Griffiths, environmental compliance consultant for CMX, contributed information that is incorporated into responses to the following requests: 21, 22, 23. Mr. Griffiths can be contacted through Castellón & Funderburk LLP, 811 Wilshire Boulevard, Suite 1025, Los Angeles, California 90017.

General Objections

Metal Briquetting Company (hereinafter "MBC") objects to information requests that seek information beyond the scope of categories of information authorized by 42 U.S.C. § 9604(e)(2)(A), (B) and (C). Specifically, MBC objects to inquiries that relate to the applicability of liability exemptions such as 42 U.S.C. § 9627, which do not otherwise relate to the categories of information specified in 42 U.S.C. § 9604(e)(2)(A), (B), and (C). Without waiving these objections, MBC is voluntarily providing these answers to the information requests. MBC objects to the information requests to the extent that they seek privileged information and/or to the extent that they seek information or documents beyond MBC's possession, custody, or control. MBC further objects to information requests that call for MBC to make legal conclusions. MBC also reserves the right to supplement its response should additional or different information become available to it at a later date.

Without waiving any of the foregoing general objections, MBC answers the information requests as follows:

1. *Provide the following information about your company ("Respondent"):*

(a) *The complete and correct legal name of your company.*

Response to Request No. 1(a): California Metal-X (CMX) (hereinafter referred to as "CMX")

(b) *The name(s) and addressees) of the President and the Chairman of the Board, or other presiding officer of the company.*

Response to Request No. 1(b): Tim F. Strelitz, CEO and President; Karen B. Strelitz, Executive Vice President; and Dave Lujan, Vice President. All are located at 366 East 58th Street, Los Angeles, California 90011. They may be reached through their counsel of record, Castellón & Funderburk LLP, 811 Wilshire Boulevard, Suite 1025, Los Angeles, California 90017.

(c) *The state of incorporation of the company and the company's agents for service.*

Response to Request No. 1(c): The state of incorporation for CMX is California. The agent for service of process is Tim F. Strelitz.

(d) *The name(s) of all subsidiaries, affiliates, or parent companies to your company.*

Response to Request No. 1(d): Metal Briquetting Company (hereinafter referred to as "MBC").

(e) *The state of incorporation and agents for service of process in the state of incorporation.*

Response to Request No. 1(e): MBC is a d/b/a of CMX. The agent for service of process is Tim F. Strelitz.

(f) *The status of all subsidiaries, affiliates, or parent companies to your company.*

Response to Request No. 1(f): MBC is a d/b/a of CMX. CMX is in good standing in California.

2. *Describe and provide any documents related to your company's business activities which resulted in sending material to Chemetco.*

Response to Request No. 2: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. To the best of its knowledge, CMX shipped copper-bearing materials to the Site (hereinafter defined and referred to as the former Chemetco facility located on Illinois Route 3 in Hartford, Madison County, Illinois with the address of 3754 Chemetco Lane, Hartford, Illinois 62048) and to the Los Angeles Concorde/Chemetco warehouse.

3. *Describe and provide any documents related to your company's role at the Site, including what duties/involvement your company had at the Site.*

Response to Request No. 3: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. To the

best of its knowledge, CMX shipped copper-bearing materials to the Site and to the Los Angeles Concorde/Chemetco warehouse.

4. *If the nature or size of Respondent's activities in relation to Chemetco changed over time, describe those changes and the dates they occurred.*

Response to Request No. 4: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that to the best of its knowledge, MBC made a one-time sale, with multiple shipments, to the Los Angeles Concorde/Chemetco warehouse. To the best of its knowledge, CMX believes that this one-time sale occurred shortly after the Los Angeles Concorde/Chemetco warehouse opened in Los Angeles.

5. *For each type of waste or material used in Respondent's operations, describe and provide documents relating to Respondent's contracts, agreements, or other arrangements for its disposal, treatment, trading, or recycling with Chemetco, including but not limited to whether Respondent controlled where waste sent to Chemetco warehouses was ultimately processed/recycled.*

Response to Request No. 5: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. To the best of its knowledge, CMX responds that it sent copper-bearing material to the Site and made a one-time sale to the Los Angeles/Concorde Chemetco warehouse. All copper-bearing materials were valuable commodities to be refined by Chemetco for the separation and sale of their elements.

6. *If not already provided, specify the dates and circumstances when Respondent's waste or material was taken to the Site, and identify the companies or individuals who brought Respondent's waste/material to the Site. Provide any documents which support or memorialize your response.*

Response to Request No. 6: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled

to be shredded and/or destroyed after seven years by a document shredding company. To the best of its knowledge, CMX further responds that it cannot recall the dates when copper-bearing material was sent to the Site. CMX further responds that to the best of its knowledge, all copper-bearing material was sold to Chemetco through Chemetco's buying department.

7. *Were transactions between your company and Chemetco and specifically the Site: 1) an outright sale; 2) subject to a written or verbal "tolling" agreement between the companies; or 3) reflected the "banking" of the transacted material in a metal account at the request of your company for return or other disposition at a later date?*

Response to Request No. 7: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that to the best of its knowledge, all copper-bearing materials were sold outright to Chemetco at a mutually agreed upon price.

8. *Did your company have any influence over waste disposal or recycling activities at the Site? If so, how?*

Response to Request No. 8: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that it did not have any influence over waste disposal or recycling activities at the Site. CMX is and was of the understanding that all products shipped from MBC to the Chemetco Los Angeles/Concorde warehouse and the Site were valuable commodities to be refined by Chemetco for the separation and sale of their elements.

9. *Was any shipment of material sent to the Site by Respondent ever refused and/or returned? If so, describe this event in detail, including its cause and outcome.*

Response to Request No. 9: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that to the best of its knowledge no shipment of material sent to the Site by CMX was refused and/or returned.

10. *Describe in detail the types of material that you sent for recycling, processing, or disposal at the Site. In your response, please also give the generic name of each type of*

materials shipped to the Site [e.g., scrap metal (including scrap automobiles), batteries, electronics, scrap paper, scrap plastic or scrap textile, etc.].

Response to Request No. 10: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that to the best of its knowledge, CMX shipped copper-bearing materials (including radiators, copper-bearing metals, small bits of copper material, agglomerated slags, and agglomerated drosses (the agglomerated slags and drosses were cast into solid blocks of valuable usable materials prior to sale to Chemetco)) to the Site. CMX is and was of the understanding that all products shipped from MBC to the Chemetco Los Angeles/Concorde warehouse and the Site were valuable commodities to be refined by Chemetco for the separation and sale of their elements.

- (a) *Identify whether the materials were delivered directly to the Site or were trans-shipped from another intermediate delivery point. If applicable, describe each such delivery point.*

Response to Request No. 10(a): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that to the best of its knowledge, MBC made a one-time sale, with multiple shipments, to the Los Angeles Concorde/Chemetco warehouse. To the best of its knowledge, CMX believes that this one-time sale occurred shortly after the Los Angeles Concorde/Chemetco warehouse opened in Los Angeles. Other than this one-time sale, to the best of its knowledge, CMX shipped copper-bearing materials to the Site.

- (b) *State whether any of the material was ever tested by your company and if so, whether the substances exhibited any of the characteristics of a hazardous waste identified in 35 Illinois Administrative Code 721, Subpart C or 40 C.F.R. § 261, Subpart C.*

Response to Request No. 10(b): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that it cannot recall whether any material testing was done.

- (c) *Describe what was done to materials once they were brought to the Site, including any further processing of the materials.*

Response to Request No. 10(c): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX responds that CMX was told by Chemetco's John Suarez that all copper bearing materials were valuable commodities to be refined by Chemetco for the separation and sale of their elements.

- (d) *Provide any additional information and all documents that you believe are related to the type, nature, and characteristics of the materials you sent to the Site.*

Response to Request No. 10(d): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. CMX further responds that to the best of its knowledge, CMX shipped copper-bearing materials (including radiators, copper-bearing metals, small bits of copper material, agglomerated slags, and agglomerated drosses (the agglomerated slags and drosses were cast into solid blocks of valuable usable materials prior to sale to Chemetco)) to the Site.

- (e) *List the years in which your company sent materials to Chemetco and/or its broker(s) for recycling, processing, or disposal.*

Response to Request No. 10(e): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX cannot recall the years it sent copper-bearing materials to Chemetco and/or its broker(s).

Questions and Requests for Documents Related to Scrap Metal

11. *For the following questions which relate to transactions involving scrap metals, provide the requested information, and also provide copies of any documents that contain any information that is related to the response:*

Response to All Sub-Paragraphs of No. 11: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject

to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company.

- (a) *Did a market exist for the scrap metal listed in your response to No.10 above? If so, describe the nature of such a market at the time of the transaction (possible uses, possible consumers, etc.) and the source of the commercial specification grade (e.g., Institute of Scrap Recycling Industries, Inc. (ISRI), Department of Defense, or wherever your company would find the grade published).*

Response to Request No. 11(a): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX, to the best of its knowledge, believes that a market existed for all the copper-bearing materials sent to the Site and that said market was liquid and highly competitive. The commercial specification grade of all materials sold by MBC to Chemetco fell within the ISRI Drove and Ocean commercial specification categories.

- (b) *What commercial specification grade did the scrap metal listed in your response to question No. 10 meet? Identify/list the commercial specification grades that each scrap metal identified in No. 9 met.*

Response to Request No. 11(b): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX believes that the commercial specification grade of all materials sold by MBC to Chemetco fell within the ISRI Drove and Ocean specification categories.

- (c) *At the time of the transaction(s) what was the intended disposition of the scrap metal listed in your response to question No. 10? Did this include burning as fuel, or for energy recovery, or incineration?*

Response to Request No. 11(c): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX was told by Chemetco's John Suarez that all copper bearing materials were valuable commodities to be refined by Chemetco for the separation and sale of their elements. CMX intended that all materials sold by MBC to

Chemetco were sold as valuable recyclables. The intended disposition of the copper-bearing materials did not include the following: burning as fuel, energy recovery, or incineration.

- (d) *After sale, transfer, delivery, recycling, or disposal, what portion of the scrap metal listed in your response to question No. 10 was to be made available for use as a feedstock for manufacturing of new saleable products? Explain how the portion identified in this answer was derived or calculated.*

Response to Request No. 11(d): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX believed, based on statements by Chemetco's John Suarez, that all materials would be made available for use as a feedstock for manufacturing of new saleable products.

- (e) *Could the scrap metal listed in your response to question No. 10 have been used as a replacement or substitute for a virgin raw material? If so, provide details.*

Response to Request No. 11(e): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, CMX believes that all copper-bearing materials that CMX sent to the Site could have been used as a replacement or substitute for a virgin raw material.

- (f) *Could any products made from the scrap metal listed in your response to question No. 10 has been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw material? If so, provide details.*

Response to Request No. 11(f): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, CMX believes that all copper-bearing materials that CMX sent to the Site could have been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw material.

- (g) *Did your company melt the scrap metal listed in your response to question No. 10 before it was transported/delivered to the Site? If yes, describe the process used for melting the scrap metal.*

Response to Request No. 11(g): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, no copper-bearing materials were melted prior to being transported/delivered to the Site.

(h) *Describe the source of or the process that produced the materials sent to the Site.*

Response to Request No. 11(h): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, an electric furnace and/or a rotary furnace melted metal and produced the copper-based agglomerated slags and/or agglomerated drosses that were sent to the Site. Agglomerated slags and/or agglomerated drosses were cast into solid blocks of valuable usable material prior to sale to Chemetco.

12. *Did any of the scrap material sent to the Site contain other material(s) incident to or adhering to the scrap? If so, describe in detail.*

Response to Request No. 12: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, CMX did not send any copper-bearing materials to the Site that contained other material(s) incident to or adhering to the scrap.

13. *Did any of the material sent to the Site contain wire or wiring? If so, was the wire's insulation first stripped before being shipped to or accepted at the Site, after being received at the Site, or was the wire not stripped?*

Response to Request No. 13: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, CMX did not send any copper-bearing materials to the Site that contained wire or wiring.

14. *Did the material shipped include drums or shipping containers? If so, specify the generators of the drums or shipping containers, the capacity of such drums or containers*

and whether such containers ever contained liquid of any sort. If so, specify the type of liquid and whether such liquids contained wastes of any kind.

Response to Request No. 14: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, CMX may have shipped in shipping containers named "pigs" and/or shipped in Gaylord boxes lined with plastic and strapped on pallets. CMX further responds that to the best of its knowledge, no liquids were shipped to the Site.

15. *Describe all efforts (i.e., Site visits) taken by your company to determine what would be done with the scrap metal identified in your response to question No. 10.*

Response to Request No. 15: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, Chemetco was the only copper refinery in the United States and was well known and recognized for its knowledge and expertise. CMX further responds that to the best of its knowledge, in or around the middle to late 1990's, CMX representatives toured the Site. During the tour it was represented to CMX representatives that the Site operated pursuant to and in compliance with all applicable state and federal statutes and regulations and assurances were made to that effect. It was also represented that the Site was in compliance with applicable laws because, due to its size, state and local regulatory authorities conducted frequent reviews. Furthermore, Chemetco representatives made statements regarding Chemetco's innovative refining technologies that allowed them to separate and recover all elements from copper based alloy scrap. CMX was told by Chemetco's John Suarez that all copper-bearing materials were valuable commodities to be refined by Chemetco for the separation and sale of their constituent elements. In addition, conversations and inquiries with several other foundry operators and industry peers that did business with Chemetco and more specifically, the Site, believed that Chemetco was in compliance with all applicable state and federal statutes and regulations.

Questions and Request for Documents Related to Electrical and Electronic Equipment

16. *For the following questions which relate to transactions involving electrical and electronic equipment (e.g., transformers, capacitors, white goods, computers, monitors, cables, circuit boards, or other electrical equipment), provide the requested information, and also provide copies of any documents that contain any information that is related to the response:*

Response to All Sub-Paragraphs of No. 16: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company.

- (a) *List an estimated number of shipments of electrical and electronic equipment your company sent to the Site on an annual basis and list the years. In this list, include the type and quantity, volume and weight of electrical and electronic equipment sent;*

Response to Request No. 16(a): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, CMX did not ship any electrical and/or electronic equipment to the Site.

- (b) *At the time of the transaction(s), what was the intended disposition of the electrical and electronic equipment listed in your response to question 15(a)? Did the intended disposition include burning as fuel or for energy recovery or incineration?*

Response to Request No. 16(b): Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, CMX did not ship any electrical and/or electronic equipment to the Site.

17. *With respect to waste or materials sent to the Site, at the time of the transactions, specify the measures you took to determine the actual means of treatment, disposal, recycling, or other uses of the material. Provide information you had and any documents relating to the treatment, recycling and disposal practices of Chemetco at the Site. What assurances, if any, were given by the owner/operator of the Site regarding the proper handling and ultimate disposition of the materials you sent there, as well as its compliance with applicable environmental laws? Include in your response any correspondence to and from Chemetco relating to this topic and dates the measures were taken or assurances were given.*

Response to Request No. 17: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. CMX further responds that to the best of its knowledge, in or around the middle to late 1990's CMX representatives toured the Site under the direction of John Suarez. During the tour it was represented to CMX representatives that the Site operated pursuant to and in compliance with all applicable state and federal statutes and regulations and assurances were made to that effect. It was also represented that the Site was in compliance with applicable laws because, due to its size, state and local regulatory authorities conducted frequent reviews. Furthermore, Chemetco representatives made statements regarding Chemetco's innovative refining technologies that allowed them to separate and recover all elements from copper based alloy scrap. CMX was told by John Suarez that all copper-bearing materials were valuable commodities to be refined by Chemetco for the separation and sale of their constituent elements. In addition, conversations and inquiries with several other foundry operators and industry peers that did business with Chemetco and more specifically, the Site, believed that Chemetco was in compliance with all applicable state and federal statutes and regulations.

18. *What efforts and when, if any, did you take to investigate the nature of the operations conducted at the Site and the environmental compliance of the Site prior to selling, transferring, delivering disposing of, trading, or arranging for the treatment, recycling, or disposal of any materials?*

Response to Request No. 18: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. CMX further responds that to the best of its knowledge, prior to sending copper-bearing materials to the Site, in or around the middle to late 1990's CMX representatives toured the entire Site under the direction of John Suarez. During the tour it was represented to CMX representatives that the Site operated pursuant to and in compliance with all applicable state and federal statutes and regulations and assurances were made to that effect. It was also represented that the Site was in compliance with applicable laws because, due to its size, state and local regulatory authorities conducted frequent reviews. Furthermore, Chemetco representatives made statements regarding Chemetco's innovative refining technologies that allowed them to separate

and recover all elements from copper based alloy scrap. CMX was told by John Suarez that all copper-bearing materials were valuable commodities to be refined by Chemetco for the separation and sale of their constituent elements. In addition, conversations and inquiries with several other foundry operators and industry peers that did business with Chemetco and more specifically, the Site, believed that Chemetco was in compliance with all applicable state and federal statutes and regulations.

19. *Provide all information in your possession that shows that you were in compliance with applicable federal environmental regulations or standards regarding the recycling of materials, particularly Section 127 of CERCLA, 42 U.S.C. § 9627, sent to the Chemetco Site.*

Response to Request No. 19: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. CMX further responds that it believes that it has been in and continues to be in compliance with all applicable federal environmental regulations or standards.

20. *Provide all information in your possession that shows that you were in compliance with applicable federal environmental regulations or standards regarding scrap metal promulgated under Resource Conservation and Recovery Act (RCRA).*

Response to Request No. 20: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, Respondent has been unable to locate any such documents. CMX further responds that pursuant to its document retention policy, documents are scheduled to be shredded and/or destroyed after seven years by a document shredding company. CMX further responds that it believes that it has been in and continues to be in compliance with all applicable federal environmental regulations or standards.

21. *Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.*

Response to Request No. 21: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made

in an effort to comply with this Request, to the best of its knowledge, CMX responds as follows: Respondent operates in the State of California. RCRA ID #: CAL000035502.

22. *List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.*

Response to Request No. 22: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, Respondent responds as follows: Respondent reported to federal and/or state governmental agencies pursuant to the (1) California Toxic Release Inventory Program – Emergency Planning and Community Right-to-Know Act; (2) Senate Bill 14 – Hazardous Source Reduction and Management Act; (3) California Health & Safety Code § 25160.2; (4) Certified Unified Program Agencies – Enforcement and Emergency Response Program; (5) Clean Water Act, 33 U.S.C. 1251 et seq.; (6) Superfund Recycling Equity Act; (7) California Health & Safety Code § 44340, et seq.; and (8) Senate Bill 1771 – California Climate Action Registry.

23. *Identify the federal and state offices to which such information was sent. State the years during which such information was sent/filed.*

Response to Request No. 23: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, to the best of its knowledge, Respondent responds as follows:

1. Respondent sent reports required pursuant to the California Toxic Release Inventory Program – Emergency Planning and Community Right-to-Know Act to the EPA (online) and the California DTSC c/o Office of Environmental Information and Management. Respondent filed these reports during each year they were required.
2. Respondent sent reports required pursuant to Senate Bill 14 – Hazardous Source Reduction and Management Act to the DTSC Office of Pollution Prevention and Green Technology. Respondent filed these reports during each year they were required.

3. Respondent sent reports required pursuant to California Health & Safety Code § 25160.2 to the California DTSC. Respondent filed these reports during each year they were required.
 4. Respondent sent reports required pursuant to the Certified Unified Program Agencies – Enforcement and Emergency Response Program to Los Angeles County Hazmat. Respondent filed these reports during each year they were required.
 5. Respondent sent reports required pursuant to the Clean Water Act, 33 U.S.C. 1251 et seq., to the Los Angeles Regional Water Quality Control Board and the State Water Resources Control Board. Respondent filed these reports during each year they were required.
 6. Respondent sent reports required pursuant to the Superfund Recycling Equity Act to URS/EPA. Respondent filed these reports during each year they were required.
 7. Respondent sent reports required pursuant to California Health & Safety Code § 44340, et seq., to the South Coast Air Quality Management District. Respondent filed these reports during each year they were required.
 8. Respondent voluntarily sent reports pursuant to Senate Bill 1771 to the California Climate Action Registry. Respondent voluntarily filed these reports for the years 2006 and 2007.
24. *If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.*

Response to Request No. 24: Subject to the preliminary statement and general objections above, which are hereby fully incorporated by reference, Respondent further objects to this request on the grounds that it is overbroad and burdensome as to the time-frame. Subject to and without waiving the foregoing objections, after a diligent search and a reasonable inquiry made in an effort to comply with this Request, CMX is unaware at this time of any additional persons who may be able to provide a more detailed or complete response to any of the requests contained herein.

25. *If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. For each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody or control, then identify the persons from whom such*

information or documents may be obtained. If the records were destroyed, provide us with the following:

(a) the document retention policy between 1970 and 2001;

Response to Request No. 25(a): CMX's document retention policy was established by its corporate accountant of record. Documents are scheduled to be shredded every seven years by a document shredding company.

(b) a description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;

Response to Request No. 25(b): Documents are scheduled to be shredded every seven years by a document shredding company. The last date of destruction was in or around March 2011.

(c) a description of the type of information that would have been contained in the documents;

Response to Request No. 25(c): To the best of CMX's knowledge, pursuant to CMX's document retention policy, all documents are destroyed, including, but not limited to the following: accounts payable and accounts receivable invoices, packing lists and settlements, payments, etc.

(d) the name, job title and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for the destruction of these documents; and the person(s) who had and/or still may have the originals or copies of these documents; and

Response to Request No. 25(d): To the best of CMX's knowledge, CMX's sales, buying, and accounting department would have produced these documents if they were in CMX's custody, possession, or control. To the best of CMX's knowledge, the person who is responsible for CMX's retention and destruction policies is Karen B. Strelitz. Ms. Strelitz may be contacted through her counsel of record, Castellón & Funderburk LLP, 811 Wilshire Boulevard, Suite 1025, Los Angeles, California 90017.

(e) the names and most current address of any person(s) who may possess documents relevant to this inquiry.

Response to Request No. 25(e): CMX does not have any responsive documents in its custody, possession, or control. All documents dated on or before 2004 have been destroyed consistent with CMX's document retention policy.

26. *Please state the name, title and address of each individual who assisted or was consulted in the preparation of the response to this information request.*

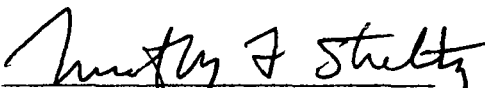
Response to Request No. 26: Tim F. Strelitz, CEO and President and Karen B. Strelitz, Executive Vice President. Both Mr. and Mrs. Strelitz can be contacted through their counsel of record, Castellón & Funderburk LLP, 811 Wilshire Boulevard, Suite 1025, Los Angeles, California 90017. In addition, Butch Griffiths, environmental compliance consultant at CAPS, LLC, can also be contacted through Castellón & Funderburk LLP.

CERTIFICATION

I, Timothy F. Strelitz, certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Date: 5/4/12

Signature:


Timothy F. Strelitz, CEO and President
California Metal-X